



TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 264-9636
Fax (978) 264-9630

Planning Department

INTERDEPARTMENTAL COMMUNICATION

To: Planning Board **Date:** February 10, 2006
From: Kristin K. Alexander, AICP, Assistant Town Planner *KKA*
Subject: 820 Main Street – Verizon Wireless Communications Facility Proposal

The Acton Rules and Regulations for a Wireless Communication Facility (cell tower) Special Permit strongly recommends that applicants consult with staff prior to filing an application. The consultation / preliminary review can prevent serious delays in the processing of the final application.

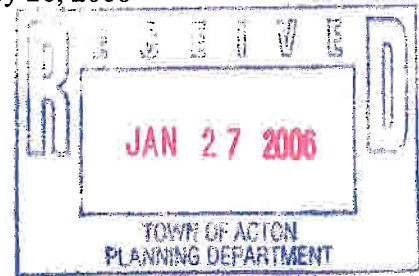
Attached is a request by James Valeriani, representing Verizon Wireless, for staff to conduct a preliminary review of a wireless communications facility proposal at 820 Main Street (the Capizzi Landscaping property). We're providing the Planning Board with a copy of this preliminary proposal just to give you a heads up that this project will probably be coming before you sometime in the next several months. Also, if Verizon Wireless formally applies for a special permit, does the Planning Board want Broadcast Signal Lab, LLP (David Maxson), to review the application? In the past, the Planning Board has directed staff to contract with Broadcast Signal Lab, a wireless communications consultant, to review wireless communications facility applications to help the Board and staff determine whether the proposal fully complies with the Zoning Bylaw and the Rules. The applicant would pay for the consultant's services.

Please let staff know at the **February 14, 2006** meeting if you want staff to contact Broadcast Signal Lab if Verizon Wireless formally applies for a wireless communication facility special permit.

Thank you.

January 26, 2006

Roland Bartl, Town Planner
Acton Planning Department
Acton Town Hall
472 Main Street
Acton, MA 01720



RE: Verizon Wireless; Proposed wireless communications facility on a proposed 120-foot replacement tower in the rear of the Capizzi Landscaping Property, located at 820 Main Street in North Acton; Preliminary Review by Acton Planning Department.

Dear Mr. Bartl:

I am writing to describe the above-referenced project and to request that the Planning Department undertake a preliminary review of the project as set forth in Section 2 of the Planning Board's Rules and Regulations for a Wireless Communications Facility Special Permit (adopted 4.4.97, revised 2.11.03). In a few weeks Verizon Wireless shall be filing a petition with the Planning Board for a special permit pursuant Section 3.10 and Section 10 of the Acton Zoning Bylaw and pursuant to the Planning Board Regulations on Wireless Facilities for a special permit for the installation of a wireless communications facility. As you know, the Planning Board recommends a preliminary review procedure with your department prior to the filing of the special permit petition. This letter follows our brief meeting in early December and my brief meeting with Garry Rhodes in mid December, for a brief overview of the proposal and a brief discussion of the permitting process for the proposed project.

There is an existing 120 foot lattice-type tower in-place at the Capizzi facility, near the front of the property where the building structures are located. The tower supports the two-way radio operations of Capizzi Landscaping, which are licensed by the Federal Communications Commission (the "FCC") under an Industrial/Conventional License (Call Sign # KJ868). In order to utilize this existing radio tower structure for its wireless facility in this area, Verizon Wireless will be seeking to remove this lattice-type tower (note that new lattice-type towers are not allowed under Section 3.10 of the Bylaw) and replace it with a monopole-type tower in the rear of the property. The new monopole (note that monopole structures are permitted under the Bylaw) shall be located in the northeast corner of the rear of the property, which is set-back approximately 300 feet further from Main Street than the existing lattice tower in the front of the property. Verizon Wireless proposed to construct a pole that will accommodate up to four other wireless carriers on the monopole with sufficient ground space for the equipment of these carriers. The monopole will also support the existing radio-antennas for Capizzi Landscaping, which shall be installed at the tip-top of the tower and will not interfere with the use of the monopole by other FCC-licensed wireless carriers. Verizon Wireless's Radio Frequency Engineering Department has determined that a height of 120 feet would be necessary to meet its objectives in this area of Acton.

Verizon Wireless's believes that the new replacement pole will be less visible than the existing lattice-tower due to the tower being removed from the front of the property on Main

Street and relocated a distance of approximately 300-feet to the northeast rear corner of the property and due to a number of tall white pines in the center of the property and on nearby properties. Although a visibility study is to be undertaken prior-to or during the special permit hearing process, my personal observations of the existing 120-foot lattice-tower lead me to conclude that it is not a highly visible other than from a segment of Main Street near the Capizzi Property. Verizon Wireless can better prepare for the visibility study once it obtains the preliminary review of the planning department.

The visibility study and additional radio frequency engineering and civil engineering materials will be presented at the special permit hearing. In the meantime, in an effort to further present this project for your department's preliminary review, I've enclosed various plans, maps and photos that are identified as follows:

- 1) Photos of existing Capizzi two-way radio tower at front of property, photos taken from various locations along Main Street; photos of proposed area for the new monopole tower.
- 2) Photos of a monopole structure similar to the one to be proposed by Verizon Wireless in the rear of the Capizzi site; photos of typical ground-based equipment.
- 3) Registered Land Court Plan of Capizzi Property with proposed tower site shown on plan;
- 4) Lease Plan showing the existing tower location in the front and the proposed tower location in the rear;
- 5) Lease Plan showing an elevation of the proposed tower and a bird's eye view of the equipment compound (with Verizon Wireless as the single-carrier at this time but with space on the tower and on the ground for three additional carriers);
- 6) A plan showing the approximate location of the wetland areas at/near the site; this plan appears to indicate the tower site is outside of the 100-foot buffer zone from the nearest wetland;
- 7) A zoning map showing the property as being in the Small Manufacturing Zone (SM) (towers are allowed by special permit in this zone and the setback for towers for side/rear lines is the same as for other building structures in this zone);
- 8) An assessor map (Map C5) showing the approximate new tower location on Capizzi Property (Lot 60);
- 9) Acton Groundwater Protection District Map showing the Capizzi Property in Zone 3;
- 10) Copy of a permits authorization letter signed by the Property Owner, Orlando P. Capizzi, Trustee of the Main Street Realty Trust.

As you are aware, Verizon Wireless has an existing installation at the existing 150 foot monopole structure owned by Crown Castle (a national tower management and development company), located in the northern-most corner of North Acton at 982 Main Street, on property owned by the McKay's. This existing facility at 982 Main Street has reached its capacity limit technology wise and backhaul wise. Verizon Wireless has been unable to connect additional T1s or fiber optic

cable to the site, thereby preventing any sort of technology or capacity upgrades. The surrounding communication sites have received technology and capacity upgrades (such as 2G to 3G conversions, additional RF carriers, and the additional of a high-speed data carrier, known as EVDO) and these surrounding sites will continue to receive upgrades as the network and technology grow. The 982 Main Street location presents a problem in that neighboring sites in the network must communicate with each other on the same technology standard; however, when one site does not get the appropriate technology or capacity upgrades, it creates a coverage and capacity hole in the network. The goal of the newly proposed wireless communications facility at the Capizzi Property at 820 Main Street is to fill this capacity and coverage hole, and Verizon Wireless believes that making an effort to merge the existing 120-foot two-way radio tower use with the Verizon Wireless facility by means of a replacement tower is a sensible approach that minimizes the visibility of the replacement tower and that does not increase the number of towers in the area of North Acton.

Verizon Wireless believes that its proposed replacement tower meets the criteria and findings required under the Acton Zoning Bylaw and the Planning Board Regulations. Verizon Wireless believes the proposed facility is appropriately planned and designed and is a sensible project for the area that meets the requirements of Verizon Wireless's network. A few of these reasons are as follows:

the proposed site "is designed to minimize adverse visual or economic impacts to abutters" (removal of a more visible 120 tower and replacing with a less visible 120 tower in the rear of the property);

the proposed site is a "practically available site that is less visible to the general public" than a new or second tower would be at the site" (essentially, this is a collocation on an existing tower site that must be reconstructed in the rear of the property in order to accommodate additional users);

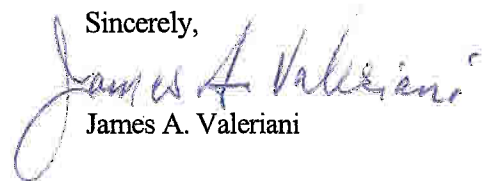
the proposed site "is designed and constructed at the minimum height and size necessary to accommodate its anticipated future use" (the 120-foot height has been determined to meet the radio frequency engineering objectives of Verizon Wireless and the tower can accommodate three other carriers);

the proposed site is necessary to improve network reliability in the area due to limitations at a nearby existing site.

I have enclosed four copies of this letter and four copies of the map and plan supplements. It is my understanding that the planning department consults with other town departments and that it generally takes thirty-days for the planning department to complete the preliminary review with the other departments. Please feel free to contact me with any questions or comments you may have during your review. I hope to contact you in two or three weeks to inquire into the progress of the preliminary review and to discuss the plans for the visibility study.

Thank you in advance for your efforts on this matter.

Sincerely,

A handwritten signature in blue ink that reads "James A. Valeriani". The signature is fluid and cursive, with the first name "James" and last name "Valeriani" clearly legible.

James A. Valeriani

Copy to: David Velez, Vital Site Services, Consultant to Verizon Wireless Network Group.

SECTION 2

PRELIMINARY REVIEW

2.1 Preliminary Consultations

Consultations between a prospective APPLICANT and the professional staff of the TOWN prior to the filing of an APPLICATION under these RULES with the BOARD are strongly recommended and can prevent serious delays in the processing of the final APPLICATION.

- 2.1.1 Any action or communication initiated by the APPLICANT prior to the filing of an APPLICATION with the Town Clerk and the BOARD shall not constitute a PERMIT APPLICATION. The following RULES shall apply to such preliminary consultations.

2.2 Form of Request

At least 4 copies of all materials to be reviewed shall be provided to the Planning Department along with a letter requesting a review and including the name, address, and phone number of a person who may be contacted concerning the review. All correspondence and communication must be sent through the Planning Department or a copy of said communication must be provided to the Planning Department.

2.3 Scope of TOWN Staff Reviews

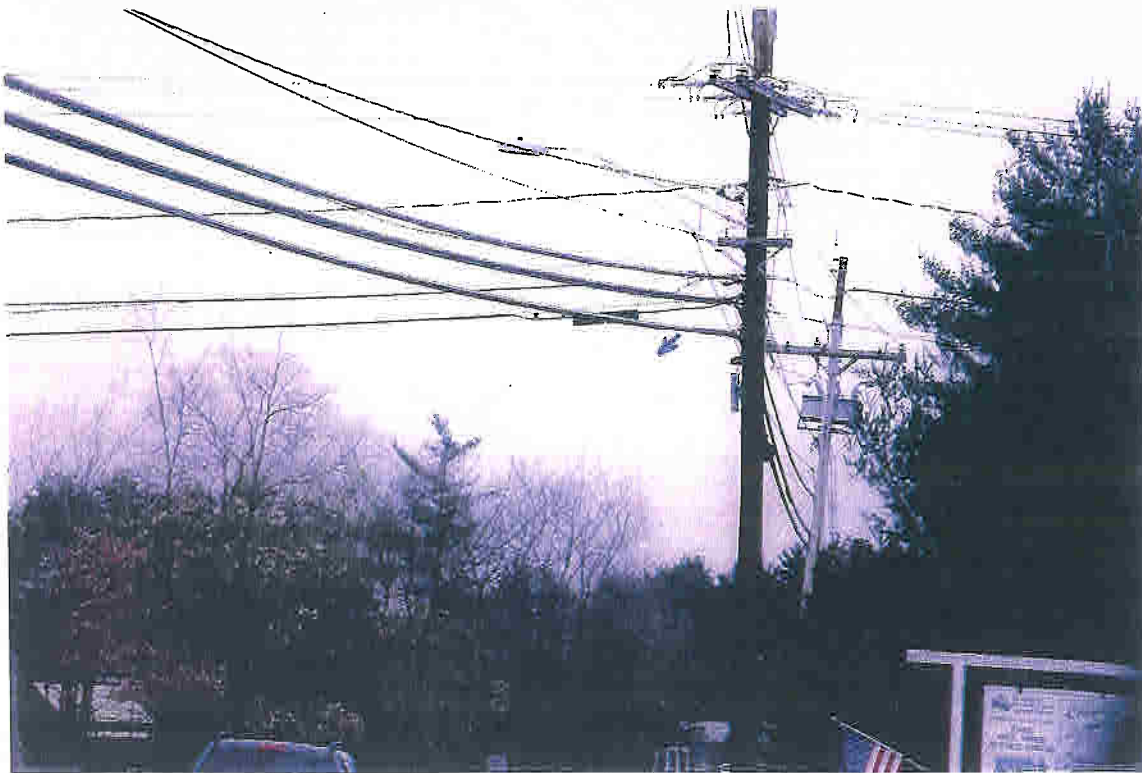
The TOWN staff will review preliminary materials in an attempt to avoid unnecessary technical deficiencies in the final APPLICATION and to promote efficiency in the formal review process. Staff will limit their review of such materials to technical issues appropriate to their area of expertise and to assessments of whether the project in question adequately addresses major issues of concern to the TOWN and the neighborhood. In general, staff will complete the preliminary review within 30 days. Staff will not be responsible for assuring the thoroughness, completeness, or correctness of any final APPLICATION. It is the responsibility of the APPLICANT to assure that any APPLICATION to the BOARD is complete and accurate.

- 2.3.1 Through the preliminary review process staff will make recommendations for any fee waivers or additional deposits that may be appropriate. Note that substantial changes in the project may require the alteration of these recommendations at the time of final submission. In all cases APPLICANTS shall contact the Planning Department prior to the final submission to discuss these fees.
- 2.3.2 If any other Special Permits are required from the BOARD for the project, then these should be discussed with the staff at this time.

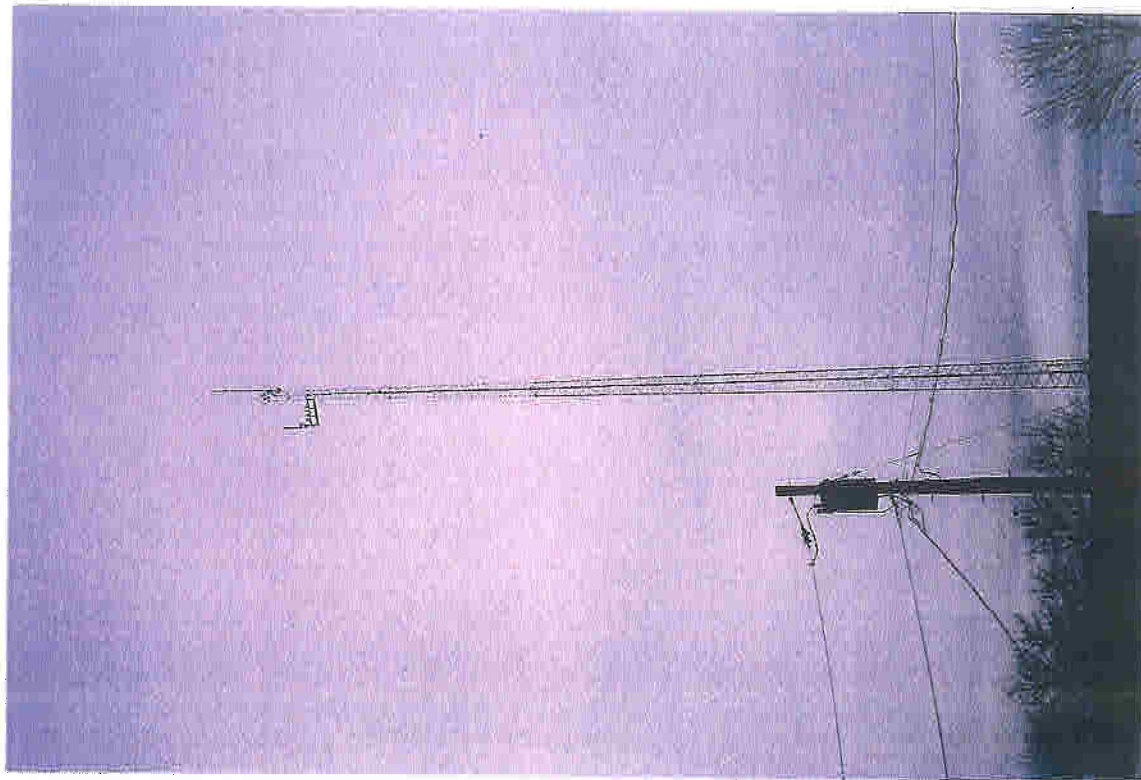
2.4 Fees

The first such preliminary review by staff of an APPLICATION shall be free of charge. Subsequent preliminary reviews shall require payment of a fee by the prospective APPLICANT of \$500 at the time of submission. The fee shall be submitted in check form and made payable to "Town of Acton".

PHOTOS LOOKING NORTH ON MAIN STREET AND SHOWING THE EXISTING 120 FOOT LATTICE TOWER USED BY THE CAPIZZI LANDSCAPING COMPANY FOR TWO-WAY RADIO COMMUNICATIONS; VERIZON WIRELESS IS PROPOSING TO REMOVE THIS TOWER AND REPLACE IT WITH A 120 FOOT MONOPOLE IN THE REAR OF THE CAPIZZI PROPERTY.



PHOTOS LOOKING SOUTH AND SHOWING THE EXISTING 120 FOOT LATTICE TOWER USED BY THE CAPIZZI LANDSCAPING COMPANY FOR TWO-WAY RADIO COMMUNICATIONS; VERIZON WIRELESS IS PROPOSING TO REMOVE THIS TOWER AND REPLACE IT WITH A 120 FOOT MONOPOLE IN THE REAR OF THE CAPIZZI PROPERTY.



PHOTOS OF MONOPOLE TOWER APPROXIMATELY 120 TO 130 FEET IN HEIGHT; THIS PHOTO SHOWS THE ANTENNA SYSTEM FOR ONE FCC CARRIER WITH A WHIP ANTENNA AT THE TOP; VERIZON WIRELESS PROPOSES A SIMILAR INSTALLATION AT THE CAPIZZI SITE.



PHOTO OF MONOPOLE TOWER APPROXIMATELY 120 TO 130 FEET IN HEIGHT; THIS PHOTO SHOWS THE ANTENNA SYSTEMS FOR TWO FCC CARRIERS WITH A WHIP ANTENNA AT THE TOP; VERIZON WIRELESS PROPOSES A SIMILAR INSTALLATION AT THE CAPIZZI SITE.



PHOTO OF FENCED EQUIPMENT COMPOUND WITH PREFABRICATED SHELTERS AND ACCESSORY EQUIPMENT AT BASE OF A MONOPOLE TOWER; VERIZON WIRELESS PROPOSES A SIMILAR INSTALLATION AT THE CAPIZZI SITE.



PHOTOS LOOKING NORTHEAST TOWARDS THE REAR OF THE CAPIZZI PROPERTY;
VERIZON WIRELESS PROPOSES TO CONSTRUCT A 120 FOOT TOWER IN THE
NORTHEAST REAR CORNER OF THE PROPERTY IN THE DIRECTION OF THE EXISTING
35-FOOT UTILITY POLE AND THE 50 +/- SILO ON THE ABUTTING LUMBER PROPERTY.



PHOTOS OF NORTHEAST REAR CORNER OF CAPIZZI SITE WHERE VERIZON WIRELESS PROPOSES TO CONSTRUCT A 120 FOOT MONOPOLE TOWER.



MEMORANDUM OF ENCUMBRANCES ON THE LAND DESCRIBED IN THIS CERTIFICATE

SUBDIVISION PLAN OF LAND IN ACTON

Paul C. Cornwall, Surveyor

December 20, 1967

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From Pro

Book 746

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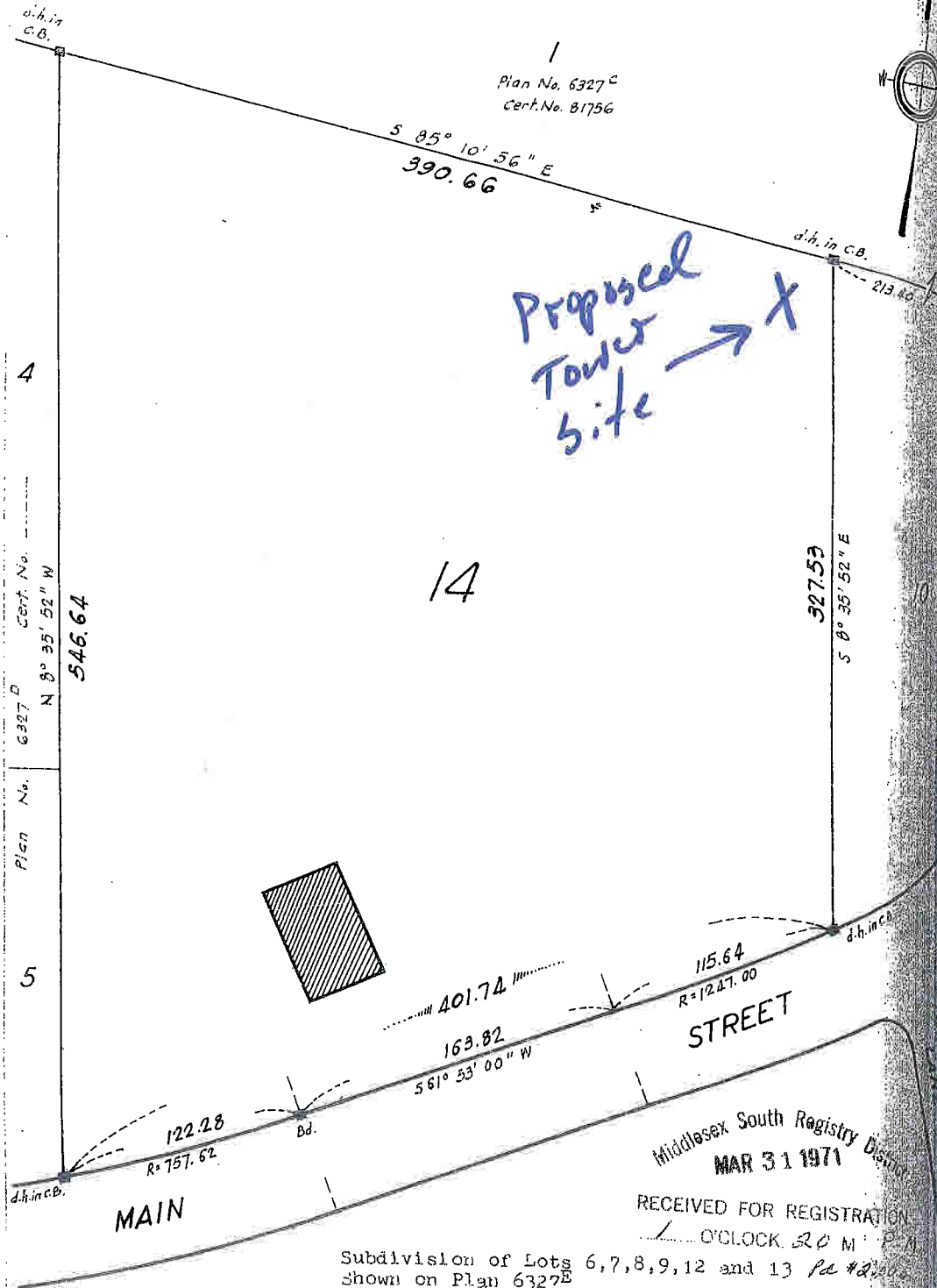
at 1

Attest,

Address of o

Land Court

FORM 26 1



Separate certificates of title may be issued for land
shown hereon as Lot 14
By the Court.

Subdivision of Lots 6, 7, 8, 9, 12 and 13
Shown on Plan 6327E
Filed with Cert. of Title No. 119227
South Registry District of Middlesex County

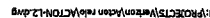
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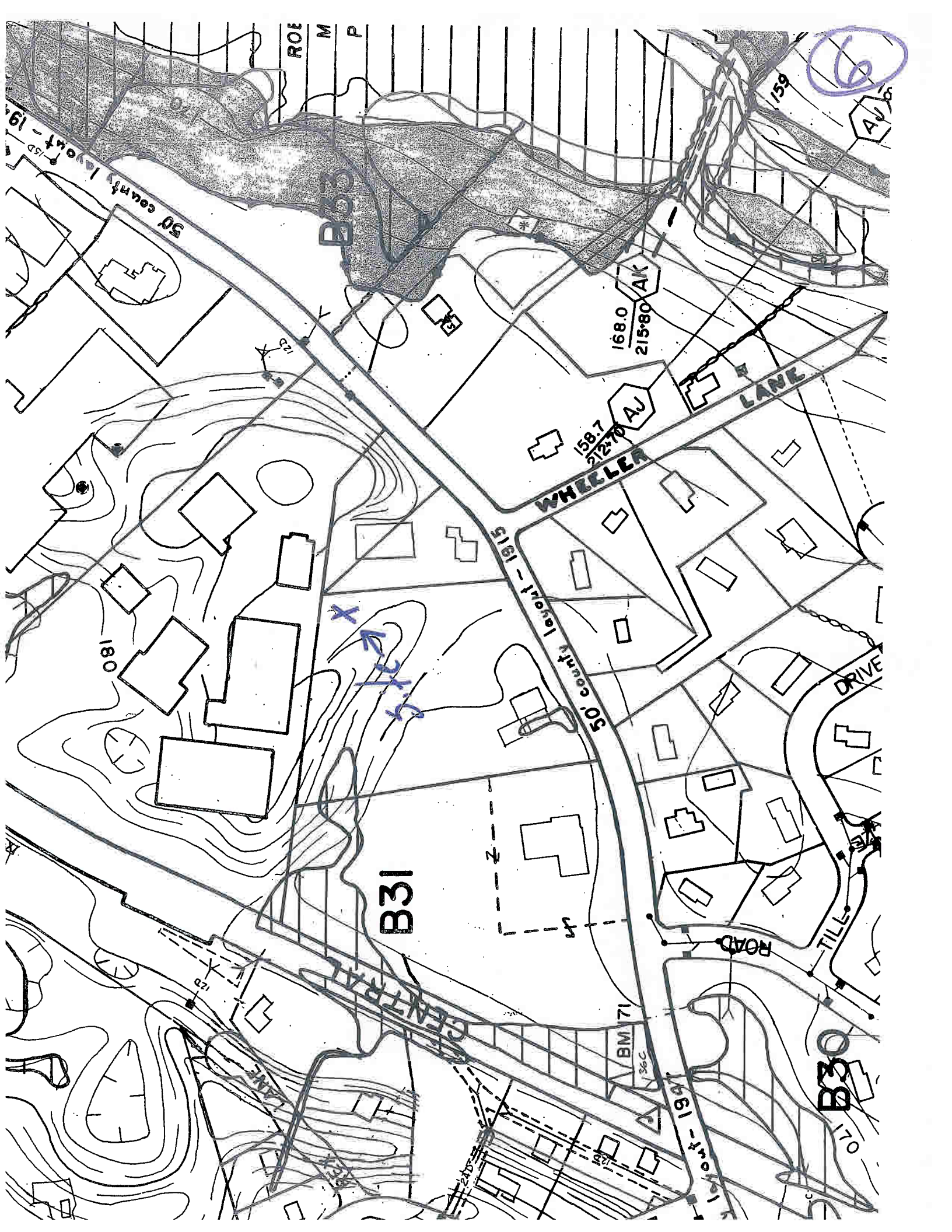
LAND REGISTRATION
MAY 22 1968
Scale of this plan 1" = 100' 0"
C.M. Anderson, Engineer

MAY 22, 1968

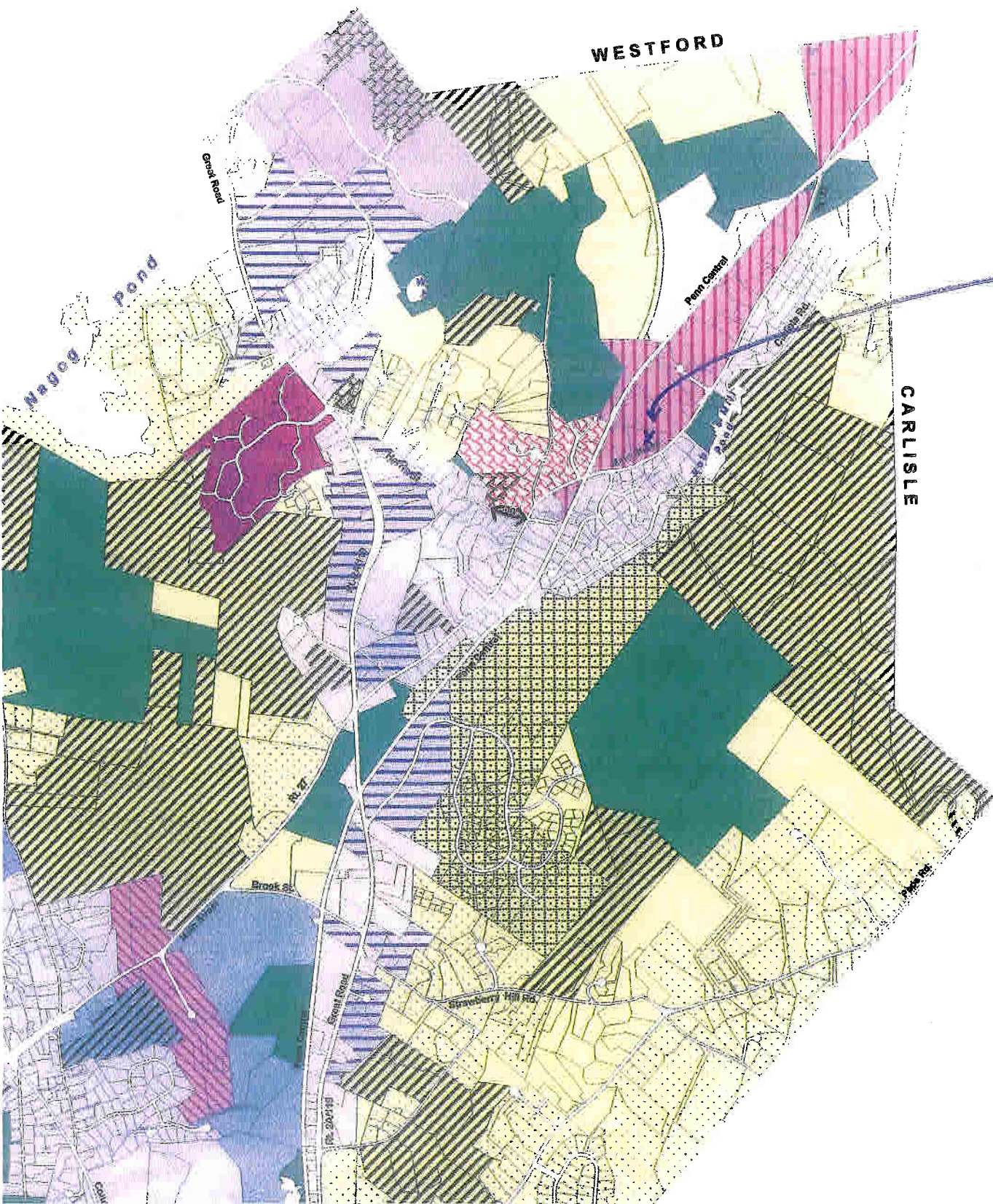
Maynard M. Daly
Recorder

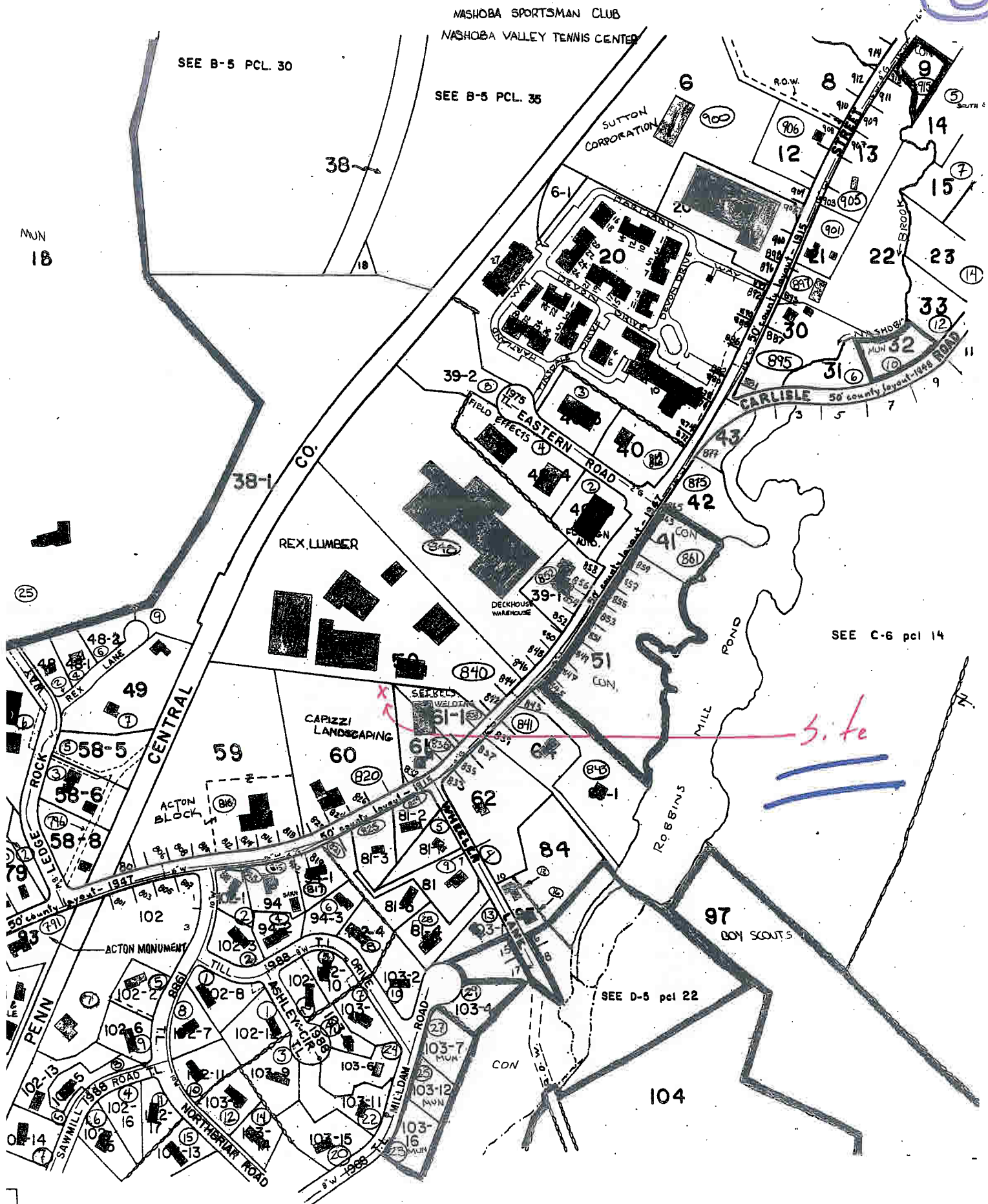
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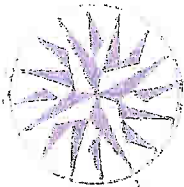
GROUNDWATER PROTECTION DISTRICT MAP

OF THE TOWN OF
ACTON, MASSACHUSETTS

MAP NO. 54

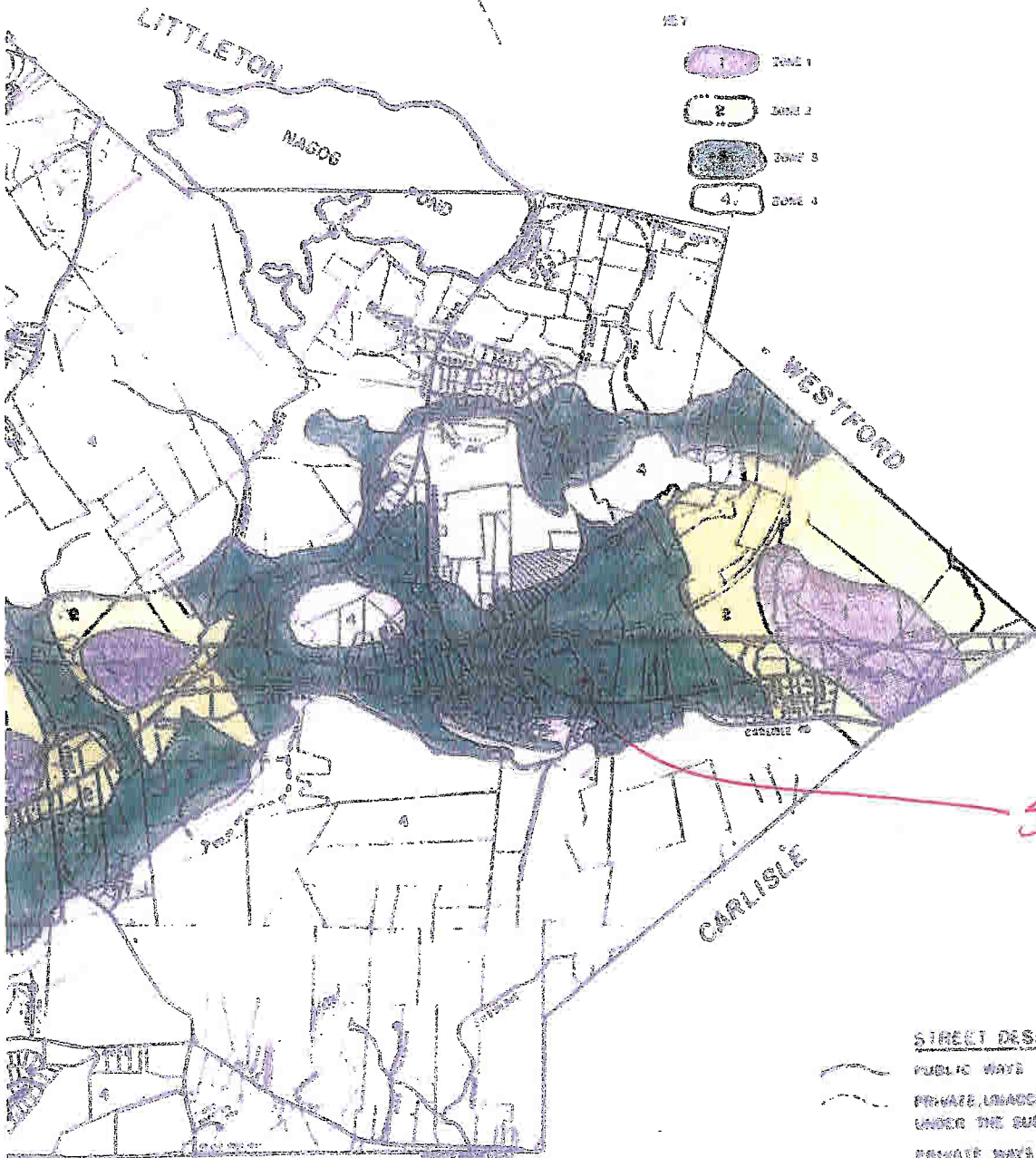
SCALE 1" = 3750'

JANUARY, 1969



KEY

- 1 ZONE 1
- 2 ZONE 2
- 3 ZONE 3
- 4 ZONE 4



STREET DESIGNATIONS

PUBLIC WAYS

PRIVATE, UNACCEPTED ROAD APPROVED
UNDER THE SUBDIVISION CONTROL LAW

PRIVATE WAYS

MAP PREPARED FOR THE ACTON PLANNING BOARD
BY THE ACTON ENGINEERING DEPARTMENT

STREETES AMENDED BY JAN 1, 1969
TOWNES ADOPTED APRIL 12, 1969

AQUIFER PROTECTION

ACTON, MASS.

TOWNWIDE MAP

JANUARY 1969

PICTURE NO. 1

FR: Orlando P. Capizzi, Trustee of the Main Street Realty Trust

RE: Proposed Wireless Communications Facility by Bell Atlantic Mobile of Massachusetts Corporation, Ltd., d/b/a Verizon Wireless, at 820 Main Street, Acton, Mass.; Assessor ID Map C-5, Lot 60; Certificate of Title # 194984.

TO: Whom it May Concern.

Please be advised that Bell Atlantic Mobile of Massachusetts Corporation, Ltd., d/b/a Verizon Wireless, has a leasehold interest in a portion of the above-referenced property, owned by Orlando P. Capizzi as Trustee of the Main Street Realty Trust, for the purpose of planning, permitting, constructing, operating and maintaining a wireless communications facility, including a tower structure and equipment shelter(s), antenna systems and associated appurtenances for one or more wireless carriers.

Verizon Wireless is authorized to apply-for, pursue and obtain any and all permits, approvals, licenses, zoning relief and any other decisions that may be required by any municipal, state or federal governmental entity.

All costs associated with this process shall be at the expense of Verizon Wireless.

A copy of this document shall be regarded as having the same effect as the original.

AUTHORIZATION:

BY: 

PRINT NAME: Orlando P Capizzi

TITLE: Trustee

DATE: 8/22/05